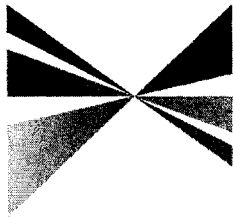


SOUTHERN CALIFORNIA



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**Orange County Transportation Authority:** Lou  
Correa, County of Orange

**Riverside County Transportation Commission:**  
Robin Lowe, Hemet

**Ventura County Transportation Commission:**  
Keith Millhouse, Moorpark

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559-8/15/05

## MEETING OF THE

# ENERGY & ENVIRONMENT COMMITTEE

### PLEASE NOTE SPECIAL TIME

**Thursday, September 1, 2005**

**10:15 a.m. – 11:45 a.m.**

### SCAG Offices

**818 West 7<sup>th</sup> Street, 12<sup>th</sup> Floor  
San Bernardino Conference Room  
Los Angeles, CA 90017  
213.236.1800**

If members of the public wish to review the attachments or have any questions on any of the agenda items, please contact Deby Salcido at 213.236.1993 or [salcido@scag.ca.gov](mailto:salcido@scag.ca.gov)

Agendas and Minutes for the Energy & Environment Committee are also available at:

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# ENERGY & ENVIRONMENT COMMITTEE

## AGENDA

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PAGE #

TIME

*“Any item listed on the agenda (action or information) may be acted upon at the discretion of the Committee”.*

1.0 CALL TO ORDER & PLEDGE OF ALLEGIANCE

Councilmember  
Washburn, Chair

2.0 PUBLIC COMMENT PERIOD

Members of the public desiring to speak on an agenda item or items not on the agenda, but within the purview of the Committee, must fill out and present a speaker's card to the Assistant prior to speaking. A speaker's card must be turned in before the meeting is called to order. Comments will be limited to three minutes. The chair may limit the total time for all comments to twenty (20) minutes.

3.0 REVIEW and PRIORITIZE AGENDA ITEMS

4.0 CONSENT CALENDAR

4.1 Approval Item

4.1.1 Approve Minutes of July 7, 2005  
Attachment

01

4.2 Receive and File

4.2.1 State and Federal Legislative Matrix  
Attachment

04



SOUTHERN CALIFORNIA  
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# ENERGY & ENVIRONMENT COMMITTEE

## AGENDA

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PAGE #

TIME

### 5.0 ACTION ITEMS

NONE

### 6.0 INFORMATION ITEMS

**6.1 Clean Cities Annual Report  
Attachment**

**JoAnn Armenta,  
The Partnership**

**10**

**10 Minutes**

The Southern California Clean Cities  
Coalition will present their annual report.

**6.2 Localized Air Pollution Health Effects  
of Ultra-fine Particles  
Attachment**

**Dr. Ed Avol,  
Professor,  
Keck School  
of Medicine,  
USC**

**11**

**30 Minutes**

Professor Avol will identify health risks  
associated with ultra-fine particles and  
will propose potential solutions.

**6.3 Fine Particle (PM2.5) Conformity  
Determination Process  
Attachment**

**Ted Harris,  
SCAG Staff**

**14**

**10 Minutes**

Staff will summarize the key milestones  
required for the new fine particle air  
quality conformity determination.

**6.4 Expanded Regional Comprehensive Plan  
Approach and the California  
Environmental Quality Act (CEQA)  
Attachment**

**Jacob Lieb,  
SCAG Staff**

**16**

**15 Minutes**

Present report from the RCP Task Force  
on continuing CEQA Reform discussions  
and potential approach for the RCP.



**SOUTHERN CALIFORNIA  
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# ENERGY & ENVIRONMENT COMMITTEE

## AGENDA

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		<i>PAGE #</i>	<i>TIME</i>
6.5	<u>Ad Hoc Energy Working Group Attachment</u>  Staff will present a proposal for an energy working group to assist with the development of the RCP Energy Chapter.	Jennifer Brost, SCAG Staff	21  10 Minutes
7.0	<u>WATER POLICY TASK FORCE REPORT</u>	Councilmember Washburn, Chair	
8.0	<u>CHAIR'S REPORT</u>	Councilmember Washburn, Chair	
9.0	<u>STAFF REPORT</u>	Sylvia Patsaouras, SCAG Staff	
10.0	<u>FUTURE AGENDA ITEMS</u> Any Committee members or staff desiring to place items on a future agenda may make such request. Comments should be limited to three (3) minutes.		
11.0	<u>ANNOUNCEMENTS</u>		
12.0	<u>ADJOURNMENT</u> The next meeting of the Energy and Environment Committee will be held in October. Meeting date to be determined.		



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Energy and Environment Committee  
July 7, 2005

***Action Minutes***

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There being no other nominations, it was MOVED (Larry Nelson), SECONDED (Larry Forester) and UNANIMOUSLY agreed to close the nominations.

In a hand count of 7 to 2, Dennis Washburn was voted Chair.

Dennis Washburn, Chair, opened the floor for nominations for Vice-Chair.

It was MOVED by Larry Forrester to nominate Larry Nelson.

It was MOVED by Lori Van Arsdale to nominate Margaret Clark.

There being no other nominations, it was MOVED (Larry Forester), SECONDED (Denis Bertone) and UNANIMOUSLY agreed to close the nominations.

In a hand count of 8 to 1, Larry Nelson was voted Vice-Chair.

**3.0 PUBLIC COMMENT PERIOD**

No public comment.

**4.0 REVIEW and PRIORITIZE**

**5.0 CONSENT CALENDAR**

It was MOVED (Larry Forester), SECONDED (Denis Bertone) and UNANIMOUSLY agreed to approve the Consent Calendar.

**5.1 Approval Item**

5.1.1 Action Minutes of May 5, 2005

**5.2 Receive and File**

5.2.1 State and Federal Legislative Matrix

5.2.2 SCAG Future Events Calendar

**6.0 ACTION ITEMS**

**6.1 ACA 13 (Harman) Local Government: Assessments**

Charlotte Pienkos, SCAG Staff, gave a brief presentation on the item. Leslie Mince, Legislative Director of Heal the Bay and Larry Forester spoke in support of the bill, indicating that this is a unique opportunity to work together to raise money for local government and get this out for a citizen vote.

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Energy and Environment Committee  
July 7, 2005

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***Action Minutes***

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It was MOVED (Debbie Cook), SECONDED (Norman Eckenrode) and UNANIMOUSLY agreed to support this bill.

**6.2** Proposed Energy Policies

Alan Thompson, SCAG Staff, presented a report on the item. He informed the Committee that the additional energy policies are for inclusion in the Preliminary Draft RCP Energy Chapter and not adoption.

It was MOVED (Toni Young), SECONDED (Debbie Cook) and UNANIMOUSLY agreed to include the policies for public comment.

The Committee also directed staff to place the issue of an Energy Task Force on a future agenda.

**6.3** Policy Guidance for Implementation of the 2005 California Water Plan

Dan Griset, SCAG staff presented an overview of this item.

It was MOVED (Toni Young), SECONDED (Larry Forester) and UNANIMOUSLY agreed to approve Resolution 05-465-1 and forward to the Regional Council for adoption.

**6.4** 2% Strategy Implementation Through California Environmental Quality Act Streamlining

Ashwani Vasishth, SCAG staff presented a report on this item.

Mark Pisano informed the Committee that CEQA is being addressed because of concerns of the Governor, Senate Pro-Tem, and the Speaker with the housing affordability crisis in the state.

Denis Bertone raised concern that this could take away some of citizen's rights.

It was MOVED (Lori Van Arsdale), SECONDED (Larry Forester), and agreed to proceed to implement recommendations in Compass Program. Denis Bertone OPPOSED this item.

**7.0** **INFORMATION ITEMS**

**7.1** SCE "Demand Response" Initiative

Mark Martinez of Southern California Edison provided a presentation on the SCE Demand Response Initiative.

**7.2** California Energy Action Plan

Regina Birdsall of the California Public Utilities Commission presented their Energy Action Plan.

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Energy and Environment Committee  
July 7, 2005

***Action Minutes***

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**7.3    Regional Comprehensive Plan (RCP) Update**

Ashwani Vasishth, SCAG Staff, informed the Commission that the RCP Task Force has decided to link the environmental analysis for the RCP with the environmental analysis of the RTP.

**8.0    WATER POLICY TASK FORCE REPORT**

The next meeting will be held on September 8, 2005.

**9.0    CHAIR'S REPORT**

None

**10.0   STAFF REPORT**

None

**11.0   FUTURE AGENDA ITEMS**

**12.0   ANNOUNCEMENTS**

**13.0   ADJOURNMENT**

There being no further business, Dennis Washburn, Chair, adjourned the meeting at 12:18 p.m. The next meeting of the Energy and Environment Committee will be held at SCAG on Thursday, September 1, 2005.

Action Minutes Approved  
by:



Sylvia Patsaouras, Staff  
Energy and Environment

# MEMO

**DATE:** September 1, 2005

**TO:** The Regional Council  
The Community, Economic and Human Development Committee  
The Energy and Environment Committee  
The Transportation and Communications Committee

**FROM:** Charlotte Pienkos, Government Affairs Analyst  
Phone: (213) 236-1811 E-Mail: [pienkos@scag.ca.gov](mailto:pienkos@scag.ca.gov)

**SUBJECT:** State and Federal Legislative Matrix

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Following the enactment of the Fiscal Year 2005-2006 budget, the California State Legislature adjourned for a July 13<sup>th</sup>-August 15<sup>th</sup> summer recess. With lawmakers visiting their home districts, no progress was made on pending legislation. (Consequently, as of this writing on August 10<sup>th</sup>, there is no state update.) The attached matrix shows the disposition of state bills and constitutional amendments upon which SCAG has taken or is considering a position. Amendments to pending legislation must have been made by August 19<sup>th</sup>. Fiscal committees must have concluded their work by August 26<sup>th</sup>. September 9<sup>th</sup> is the last day to pass bills.

In Washington, SAFETEA-LU, the federal surface transportation bill, was passed by the Congress on July 29<sup>th</sup> and signed by the President on August 10<sup>th</sup> in a ceremony in Illinois. A separate agenda item in today's materials has been prepared for Regional Council and the Transportation and Communications Committee regarding SAFETEA-LU's highlights. The Congress now turns its attention to judicial appointments, temporarily leaving transportation issues behind. A SAFETEA-LU clean-up bill is already under discussion.

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SOUTHERN CALIFORNIA  
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000004



CA AB 426

**AUTHOR:** Bogh (R)  
**TITLE:** HOV Lanes  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 02/15/2005  
**LAST AMEND:** 04/20/2005  
**DISPOSITION:** Pending  
**LOCATION:** Assembly Appropriations Committee  
**SUMMARY:**

Requires the Department of Transportation to convert all high-occupancy vehicle (HOV) lanes on state highways in the County of Riverside that currently operate on a 24-hour basis into part-time HOV lanes that operate as mixed-flow lanes except during peak periods, subject to any required approvals of the federal government.

**STATUS:**

05/25/2005 In ASSEMBLY Committee on APPROPRIATIONS: Heard, remains in Committee.

**PRIVATE FILE:** Transportation

**COMMENTARY:**

Support position extends only to Riverside County

**Position:** SCAG-Sup 05/05/2005

**Subject:** Transport

CA AB 697

**AUTHOR:** Oropeza (D)  
**TITLE:** Highway Users Tax Account: Appropriation of Funds  
**INTRODUCED:** 02/17/2005  
**DISPOSITION:** Pending  
**LOCATION:** Assembly Appropriations Committee  
**SUMMARY:**

Provides that all moneys in the Highway Users Tax Account in the Transportation Tax Fund from the prior fiscal year are on continuously appropriated and may be encumbered for certain purposes until the Budget Act is Enacted.

**STATUS:**

05/25/2005 In ASSEMBLY Committee on APPROPRIATIONS: Heard, remains in Committee.

**PRIVATE FILE:** Transportation

**COMMENTARY:**

Amendment requested relates to facilitating the CPG reimbursement process.

**Position:** SCAG-Sup&Amend 04/15/2005

**Subject:** Revenue/Bond, Transport

CA AB 850

**AUTHOR:** Canciamilla (D)  
**TITLE:** Toll Road Agreements  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 02/18/2005  
**LAST AMEND:** 05/03/2005  
**DISPOSITION:** Pending  
**LOCATION:** Assembly Appropriations Committee  
**SUMMARY:**

Relates to the Department of Transportation. Authorizes the department to enter into comprehensive development franchise agreements with public and private entities or consortia for specified types of transportation projects. Authorizes tolls to be collected after the termination of a franchise agreement period. Authorizes the department to construct and operate a high-occupancy vehicle and other preferential lanes as toll facilities.

**STATUS:**

05/25/2005 In ASSEMBLY Committee on APPROPRIATIONS: Heard, remains in Committee.

**PRIVATE FILE:** Transportation

**Position:** SCAG-Sup 05/05/2005

**Subject:** Transport

CA AB 1090

**AUTHOR:** Matthews (D)  
**TITLE:** Solid Waste: Diversion: Conversion  
**INTRODUCED:** 02/22/2005  
**DISPOSITION:** Pending

000005

**LOCATION:** Assembly Natural Resources Committee**SUMMARY:**

Revises the waste management practices that the integrated Waste Management Board and local agencies are required to promote. Repeals the definition of the term gasification. Defines the terms conversion technology, beneficial use and recovery. Revises the definition of the term "transformation" to exclude pyrolysis, distillation or biological conversion other than composting from that definition. Specifies that transformation does not include conversion technology.

**STATUS:**

04/18/2005 In ASSEMBLY Committee on NATURAL RESOURCES: Heard, remains in Committee.

**PRIVATE FILE:**

SolidWaste

**Position:**

SCAG-Sup 04/07/2005

**Subject:**

SolidWaste

CA AB 1266

**AUTHOR:**

Niello (R)

**TITLE:**

State Highways: Design-Sequencing Contracts

**FISCAL COMMITTEE:**

yes

**URGENCY CLAUSE:**

no

**INTRODUCED:**

02/22/2005

**LAST AMEND:**

05/04/2005

**DISPOSITION:**

Pending

**LOCATION:**

Assembly Appropriations Committee

**SUMMARY:**

Authorizes the Department of Transportation to award design-sequencing contracts for the design and construction of not more than 4 additional transportation projects, to be selected by the Director of Transportation.

**STATUS:**

05/25/2005 In ASSEMBLY Committee on APPROPRIATIONS: Heard, remains in Committee.

**PRIVATE FILE:**

Transportation

**Position:**

SCAG-Sup 04/15/2005

**Subject:**

Transport

CA ACA 13

**AUTHOR:**

Harman (R)

**TITLE:**

Local Government: Assessments and Fees or Charges

**FISCAL COMMITTEE:**

no

**URGENCY CLAUSE:**

no

**INTRODUCED:**

02/22/2005

**LAST AMEND:**

04/21/2005

**DISPOSITION:**

Pending

**LOCATION:**

Assembly Local Government Committee

**SUMMARY:**

Proposes a Constitutional amendment that excludes a fee or charge related to flood control, stormwater drainage or surface water drainage from restrictions on the imposition or increase of a property-related fee or charge by a city, county or special district upon compliance with requirements for written notice to property owners, a public hearing, and an opportunity for majority protest, and upon the approval by a majority vote of the property owners of the property subject to the charge or fee.

**STATUS:**

04/21/2005 To ASSEMBLY Committees on LOCAL GOVERNMENT and APPROPRIATIONS.

04/21/2005 From ASSEMBLY Committee on LOCAL GOVERNMENT with author's amendments.

04/21/2005 In ASSEMBLY. Read second time and amended. Re-referred to Committee on LOCAL GOVERNMENT.

CA SB 44

**AUTHOR:**

Kehoe (D)

**TITLE:**

General Plans: Air Quality Element

**FISCAL COMMITTEE:**

yes

**URGENCY CLAUSE:**

no

**INTRODUCED:**

01/04/2005

**LAST AMEND:**

05/17/2005

**DISPOSITION:**

Pending

**LOCATION:**

Assembly Second Reading File

**SUMMARY:**

000006

Requires the legislative body of each city and county located in specified areas to either adopt an air quality element as part of its general plan or amend the appropriate elements of its general plan to include data and analysis, comprehensive goals, policies, and feasible implementation strategies to improve air quality no later than one year from the date specified for the next revision of its housing elements that occurs after a specified date. Requires cities and counties to comply by a certain date.

**STATUS:**

07/13/2005 From ASSEMBLY Committee on APPROPRIATIONS: Do pass.  
**PRIVATE FILE:** AirQuality  
**Position:** SCAG-Opp 06/02/2005  
**Subject:** AirQuality, LandUse  
**PRIVATE FILE:** LandUse  
**Subject:** AirQuality, LandUse

CA SB 172

**AUTHOR:** Torlakson (D)  
**TITLE:** Bay Area State-Owned Toll Bridge: Financing  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 02/09/2005  
**LAST AMEND:** 05/27/2005  
**DISPOSITION:** Pending  
**LOCATION:** Assembly Transportation Committee  
**SUMMARY:**

Requires the seismic retrofit surcharge on bay area toll bridges to be paid into the Bay Area Toll Account. Requires the Bay Area Toll Authority to amend its agreement with the Department of Transportation to specify the respective duties of each agency with respect to the seismic retrofit and other bridge construction projects. Requires the authority and department to form a Toll Bridge Program Board of Control to review those projects.

**STATUS:**

06/13/2005 To ASSEMBLY Committee on TRANSPORTATION.  
**PRIVATE FILE:** Transportation  
**Position:** SCAG-Watch 05/05/2005  
**Subject:** Revenue/Bond, Transport

CA SB 371

**AUTHOR:** Torlakson (D)  
**TITLE:** Public Contracts: Design-Build: Transportation  
**INTRODUCED:** 02/17/2005  
**LAST AMEND:** 04/26/2005  
**DISPOSITION:** Pending  
**LOCATION:** Senate Appropriations Committee  
**SUMMARY:**

Authorizes, until January 1, 2011, certain state and local transportation entities to use a design-build process for bidding on highway construction projects. Establishes a procedure for submitting bids that includes a requirement that design-build entity bidders provide certain information in a questionnaire submitted to the transportation entity that is verified under oath. States the intent of the Legislature that a transportation entity implement a labor compliance program for such projects.

**STATUS:**

05/26/2005 In SENATE Committee on APPROPRIATIONS: Heard, remains in Committee.  
**PRIVATE FILE:** Transportation  
**Position:** SCAG-Sup 04/15/2005  
**Subject:** Transport

CA SB 521

**AUTHOR:** Torlakson (D)  
**TITLE:** Local Planning: Transit Village Plans  
**FISCAL COMMITTEE:** no  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 02/18/2005  
**LAST AMEND:** 05/27/2005  
**DISPOSITION:** Pending  
**LOCATION:** Assembly Housing and Community Development Committee  
**SUMMARY:**

Requires a transit village plan to include a transit station and a parcel, at least 1/2 of which is with no more than 1/4 mile of the exterior boundary of the parcel on which the transit station is

000007

located or parcels located in an area equal to the area encompassed by a 1/4 mile radius from the exterior boundary of the parcel on which the station is located. Defines blight under the Community Redevelopment Law to include the lack of high density development within a transit village development district.

**STATUS:**

06/13/2005 To ASSEMBLY Committees on HOUSING AND COMMUNITY DEVELOPMENT and LOCAL GOVERNMENT.

**PRIVATE FILE:**

LandUse

**Position:**

NARC-Sup 06/02/2005

**Subject:**

Housing, Transit

CA SB 575

**AUTHOR:** Torlakson (D)  
**TITLE:** Housing Development Projects  
**FISCAL COMMITTEE:** no  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 02/18/2005  
**LAST AMEND:** 06/16/2005  
**DISPOSITION:** Pending  
**LOCATION:** Assembly Third Reading File  
**SUMMARY:**

Amends Planning and Zoning Law provisions relating to approval or disapproval of projects for farmworker housing, very low, low-, or moderate-income households. Revises conditions upon which a disapproval or a conditional approval of a housing development project is based. Authorizes the applicant for a project or a resident to bring an action and the court to vacate the decision of the local agency, deem the application complete, and impose fines if the court finds the agency acted in bad faith.

**STATUS:**

06/30/2005 In ASSEMBLY. Read second time. To third reading.

**PRIVATE FILE:**

LandUse

**Position:**

SCAG-Sup 06/02/2005

**Subject:**

Housing, LandUse

CA SB 760

**AUTHOR:** Lowenthal (D)  
**TITLE:** Ports: Congestion Relief: Security Enhancement  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 02/22/2005  
**LAST AMEND:** 05/27/2005  
**DISPOSITION:** Pending  
**LOCATION:** Assembly Appropriations Committee  
**SUMMARY:**

Imposes on each shipping container processed in the Port of Los Angeles or the Port of Long Beach a fee of \$30 per twenty-foot equivalent unit, payable by the marine terminal operator processing the container to the port where the marine terminal is located. Requires each port to retain 1/3 of the funds derived from imposition of the fee and transmit the remaining 2/3 in the amount of 1/2 due to the Port Congestion Relief Trust Fund and 1/2 to the South Coast Air Quality Management District.

**STATUS:**

06/27/2005 From ASSEMBLY Committee on NATURAL RESOURCES: Do pass to Committee on APPROPRIATIONS.

**PRIVATE FILE:**

Transportation

**Position:**

SCAG-Watch 05/05/2005

**Subject:**

Transport

CA SB 832

**AUTHOR:** Perata (D)  
**TITLE:** CEQA: Infill Development  
**INTRODUCED:** 02/22/2005  
**LAST AMEND:** 05/04/2005  
**DISPOSITION:** Pending  
**LOCATION:** Assembly Appropriations Committee  
**SUMMARY:**

Relates to infill development under the California Environmental Quality Act. Provides an alternative to infill criteria if the site is located in a city with a population of more than 200,000 persons, the site is not more than 10 acres, and the project does not have less than 200 or more than 300 residential units, as adopted by a resolution of the city council.

000008

**STATUS:**

07/05/2005

From ASSEMBLY Committee on NATURAL RESOURCES: Do pass to Committee on APPROPRIATIONS.

**PRIVATE FILE:**

LandUse

**Position:**

SCAG-Sup 06/02/2005

**Subject:**

Housing, LandUse

CA SB 1024

**AUTHOR:**

Perata (D)

**TITLE:**

Public Works and Improvements: Bond Measure

**FISCAL COMMITTEE:**

yes

**URGENCY CLAUSE:**

no

**INTRODUCED:**

02/22/2005

**LAST AMEND:**

05/12/2005

**DISPOSITION:**

Pending

**LOCATION:**

Senate Third Reading File

**SUMMARY:**

Enacts the Safe Facilities, Improved Mobility, and Clean Air Bond Act of 2005 to authorize state general obligation bonds for specified purposes, including the seismic retrofit of toll bridges, levee improvements, restoration of Proposition 42 transportation funds, port infrastructure and security projects, trade corridors of significance, emissions reduction projects, environmental enhancement projects, and transportation needs in cities and counties relative to housing. Requires voter approval.

**STATUS:**

05/27/2005

In SENATE. Read second time. To third reading.

**PRIVATE FILE:**

Transportation

**Position:**

SCAG-Watch 05/05/2005

**Subject:**

Revenue/Bond, Transport

CA ACA 4 a

**AUTHOR:**

Keene (R)

**TITLE:**

State Finances

**FISCAL COMMITTEE:**

yes

**URGENCY CLAUSE:**

no

**INTRODUCED:**

01/20/2005

**LAST AMEND:**

04/11/2005

**DISPOSITION:**

Pending

**LOCATION:**

Assembly Budget Process Committee

**SUMMARY:**

Proposes a Constitutional amendment that requires, rather than authorizes, the Governor to issue a proclamation declaring a fiscal emergency, and specifies that the proclamation would be issued when the Governor determines either that General Fund revenues will decline below the estimate of General Fund revenues upon which the Budget Bill for that fiscal year was based, or that General Fund expenditures will increase above that estimate of General Fund revenues, or both, by a specified amount.

**STATUS:**

04/11/2005

From ASSEMBLY Committee on BUDGET PROCESS with author's amendments.

04/11/2005

In ASSEMBLY. Read second time and amended. Re-referred to ASSEMBLY Committee on BUDGET PROCESS.

**PRIVATE FILE:**

Transportation

**COMMENTARY:**

Prop 42 provisions only

**Position:**

SCAG-Sup&amp;Amend 05/05/2005

**Subject:**

Revenue/Bond, Transport

# MEMO

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**Date:** September 1, 2005

**To:** Energy and Environment Committee

**From:** Jennifer Brost, AICP, Associate Regional Planner,  
(213) 236-1829, [brost@scag.ca.gov](mailto:brost@scag.ca.gov)

**Subject:** Clean Cities Annual Report

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## SUMMARY

The Southern California Clean Cities Coalition will present their annual report.

## BACKGROUND

On March 1, 1996, SCAG entered into a Memorandum of Understanding (MOU) with the U.S. Department of Energy (DOE) and the Southern California Association of Governments Clean Cities Coalition became a member of the national Clean Cities Program. On October 4, 2001, SCAG's Regional Council unanimously approved the renewal of the Clean Cities MOU between SCAG and the DOE. The program was re-certified by the DOE for an additional five years on October 31, 2001. At that time, the DOE recognized The Partnership as the administrator of the SCAG Clean Cities program.

The mission of the Clean Cities Program is to advance the nation's economic, environmental, and energy security by supporting local decisions to adopt practices that contribute to the reduction of petroleum consumption. The Clean Cities Coalition carries out this mission through a network of more than 80 volunteer coalitions, which develop public/private partnerships to promote alternative fuels and vehicles, fuel blends, fuel economy, hybrid vehicles, and engine idle reduction.

# MEMO

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**DATE:** September 1, 2005  
**TO:** Energy and Environment Committee  
**FROM:** Ted Harris, Air Quality Program Manager, 213-236-1916, harrist@scag.ca.gov  
**SUBJECT:** Localized Air Pollution Health Effects of Ultrafine Particles

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**SUMMARY:**

Per the request of the Energy and Environment Committee (EEC), Dr. Ed Avol, Professor of Environmental Health, Keck School of Medicine, University of Southern California, will give a presentation on potential health risks associated with exposure to ultrafine particles from traffic exhaust. The purpose of the presentation is to respond to the EEC's request to learn more about the severity of localized particulate pollution problems, including emerging science on ultrafine particles.

**BACKGROUND ATTACHMENT:**

Traffic-Related Pollution and Health Concerns: A Brief Summary of the Research

## TRAFFIC-RELATED POLLUTION AND HEALTH CONCERNS: A Brief Summary of the Research

*Background:* There is increasing concern about the links between motor vehicle emissions and health effects. Particular concerns have been raised about the potential health effects of living in close proximity to busy roads or freeways or close to rail yards and other facilities where diesel emissions are common. Emerging science is raising concerns about exposure to ultrafine particles from traffic exhaust; these particles are smaller than 0.1 microns in diameter.

*What the scientific research is telling us about:*

- **Traffic pollutants.** Traffic pollutants include carbon monoxide, oxides of nitrogen, hydrocarbons, particles (soot), and other constituents. When hydrocarbons and oxides of nitrogen react in the presence of sunlight, ozone is formed. Heavy duty trucks, ships, locomotives and some buses emit diesel exhaust or diesel particulate.
- **Diesel particulate.** Diesel particulate is regulated by the State of California as a Toxic Air Contaminant, based on studies showing that exposure is linked to lung cancer. In the South Coast Air Basin, Port-related emissions are the source of at least 25% of the diesel particulate in the air.
- **Elemental carbon levels** (as an indicator of diesel emissions) are elevated next to freeways that have a large volume of heavy duty trucks. Elemental carbon levels near the 710 Freeway are higher than those near the 405 Freeway.<sup>1 2</sup>
- **Ultrafine particles.** Ultrafine particles are emitted by both cars and trucks. Most of the particulate matter that comes out of truck exhaust consists of fine and ultrafine particles, which are both very small in diameter. Scientists are concerned about ultrafine particles because they 1) are found in higher numbers compared to larger particles, 2) have large surface areas onto which a wide range of chemicals and allergens are adsorbed,<sup>3</sup> 3) can stay in the air for hours or days after they are emitted, 4) are efficient at getting into the lungs, 5) are biologically potent, 6) can get into the mitochondria of cells and do damage, and 7) can even travel to the brain when inhaled.<sup>4</sup>
- **The numbers of ultrafine particles** are very high close to busy freeways, based on studies done of both the I-405 and I-710 Freeways. The numbers of particles drop off dramatically by 150 meters from the freeway and are nearly down to background levels by 300 meters.<sup>5</sup>
- **Respiratory health effects.** In the USC Children's Health Study conducted in California, teenagers who grew up in smoggy communities with elevated levels of traffic-related pollutants were nearly five times as likely to have clinically low lung function, compared to teens living in low-pollution communities.<sup>6</sup> Children with asthma who live in communities where there are high levels of particulate matter develop other respiratory health problems, such as bronchitis, compared to children with asthma who live in communities with lower levels of pollution.<sup>7</sup>
- **Reproductive health effects.** Women in large urban areas who are exposed to high levels of traffic-related pollutants when pregnant have an elevated risk of giving birth to babies with heart defects.<sup>8</sup>



- **Cardiovascular disease and cancer.** There is a significant link between ambient urban air pollution, especially particles, and increases in cardiopulmonary disease and mortality from both heart-related illnesses and lung cancer.<sup>9</sup> Elevated rates of mouth and throat cancers have been found in census tracts directly east of the I-710 Freeway in Long Beach, possibly linked to diesel exhaust exposure.<sup>10</sup> More than 25% of the traffic on that freeway is big-rig trucks.
- **Effects of living near a busy road or freeway.** A recent series of studies completed in the Netherlands indicated that children living near roads with high intensity of truck traffic have lower lung function and more chronic respiratory symptoms compared with children living on roads with less truck traffic.<sup>11</sup> A study in California by USC researchers finds that children living near a busy road or freeway are significantly more likely to have asthma than children living further away.<sup>12</sup> Stroke mortality has also been found to be higher in residents living within 200 meters of a busy road.<sup>13</sup>

*For more information:*

Some of the research described above has been conducted by scientists affiliated with USC and UCLA. Three centers in Southern California are involved in research on traffic-related pollution and health effects. The centers all have investigators from both USC and UCLA. The three centers include:

**Southern California Environmental Health Sciences Center**, directed by Dr. John Peters. See <http://www.usc.edu/medicine/scehsc> for more information. The Center's Exposure Assessment Field Studies Core is directed by Ed Avol. Its Community Outreach and Education Program is directed by Andrea Hricko. The Center staff can be reached at [scehsc@usc.edu](mailto:scehsc@usc.edu).

**Children's Environmental Health Center**, directed by Dr. Frank Gilliland.

**Southern California Particle Center**, directed by Dr. John Froines. See <http://www.ph.ucla.edu/scpcs/>



<sup>1</sup> Zhu Y et al. (2002). Study of ultrafine particles near a major highway with heavy-duty diesel traffic. *Atmos Environ* 36: 4323-4335.

<sup>2</sup> Zhu Y et al. (2002). Concentration and size distribution of ultrafine particles near a major highway. *J Air Waste Manag Assoc* 52(9): 1032-42.

<sup>3</sup> Sioutas C et al. (2005). Exposure Assessment for Atmospheric Ultrafine Particles (UFPs) and Implications in Epidemiologic Research. *Environ Health Perspect* 113(8):947-55.

<sup>4</sup> Oberdorster G et al. (2004). Translocation of inhaled ultrafine particles to the brain. *Inhal Toxicol* 16(6-7):437-45.

<sup>5</sup> Zhu et al, see above.

<sup>6</sup> Gauderman J et al. (2004). The effect of air pollution on lung development from 10 to 18 years of age. *N Engl J Med* 351(11):1057-67.

<sup>7</sup> McConnell R et al. (2003). Prospective Study of Air Pollution and Bronchitic Symptoms in Children with Asthma. *Am J Respir Crit Care Med* 168(7):790-797.

<sup>8</sup> Ritz B et al (2002). Ambient air pollution and risk of birth defects in Southern California. *Am J Epidemiol* 155(1): 17-25.

<sup>9</sup> Weinhold B. (2004). Environmental Cardiology: Getting to the Heart of the Matter. *Environ Health Perspect* 112(15):A880-7.

<sup>10</sup> Mack T (2004). *Cancers in the Urban Environment. Patterns of Malignant Disease in Los Angeles County and Its Neighborhoods*. London: Elsevier Academic Press.

<sup>11</sup> Brauer M et al. (2005). Air pollution from traffic and the development of respiratory infections and asthmatic and allergic symptoms in children. *Am J Respir Crit Care Med* 166(8):1092-8.

<sup>12</sup> McConnell R et al. (2005). *Association of Childhood Asthma with Residence near a Major Road*, American Thoracic Society International Conference, San Diego. Mini-symposium: Air Pollution Effects in Children, Abstract No. B85, May 23, 2005.

<sup>13</sup> Maheswaran R et al. (2003). Stroke Mortality Associated with Living Near Main Roads in England and Wales: A Geographical Study. *Stroke* 34(12):2776-80.

# MEMO

**TO:** Energy and Environment Committee

**FROM:** Ted Harris, Air Quality Program Manager, 213-236-1916, harrist@scag.ca.gov

**DATE:** September 1, 2005

**SUBJECT:** Fine Particle (PM<sub>2.5</sub>) Conformity Determination Process

## SUMMARY:

This memo outlines a proposed process to make a conformity determination for the new fine particle (PM<sub>2.5</sub>) standard. The new federal conformity regulation for fine particulate matter (PM<sub>2.5</sub>) requires the Southern California Association of Governments (SCAG) to receive approval from the United States Department of Transportation (US DOT) on SCAG's conformity determination on the 2004 Regional Transportation Plan (RTP) and the 2004 Regional Transportation Improvement Program (RTIP) by April 5, 2006 or the region risks a conformity lapse.

## BACKGROUND:

Transportation conformity is a federal Clean Air Act requirement that ensures that federally supported highway and transit projects are consistent with ("conform to") a state air quality implementation plan (SIP). Conformity ensures that public health is protected by early consideration of transportation decisions in cities with air quality challenges.

The final PM<sub>2.5</sub> rule provides new PM<sub>2.5</sub> nonattainment areas with the requirements for considering PM<sub>2.5</sub> precursor emissions in transportation conformity determinations.

Transportation conformity for the PM<sub>2.5</sub> air quality standard will apply in new nonattainment areas on April 5, 2006 – that is, one year after the effective date of their designation. EPA's designations for the new PM<sub>2.5</sub> standard were effective April 5, 2005, at which point a one-year conformity grace period began.

### *Key (PM<sub>2.5</sub>) Requirements:*

Nonattainment area designations for the new fine particle (PM<sub>2.5</sub>) standard became effective on April 5, 2005, and an approved conformity determination is required by April 5, 2006, one year after the effective date. The South Coast Air Basin is the only PM<sub>2.5</sub> non-attainment area in Southern California.

**Table 1: SCAG Region – Fine Particle (PM<sub>2.5</sub>) Non-attainment Area**

Non-attainment Area	Maximum Attainment Date
South Coast Air Basin (SCAB)	2010 with a possible 5 year extension to 2015

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## Proposed Process for fine particle conformity determination on the 2004 RTP and RTIP

1. Conduct ongoing public participation and interagency consultation.
2. Perform regional emission analysis.  $PM_{2.5}$  is a new air quality standard, and requires what is called an "interim emissions test." The interim emissions test requires SCAG to demonstrate that implementing the 2004 RTP and the 2004 RTIP is not expected to cause  $PM_{2.5}$  emissions to exceed emissions in year 2002 or future years if the region did not implement the 2004 RTP or 2004 RTIP.
3. Reaffirm the existing conformity findings for the 2004 RTP and 2004 RTIP.
4. Release the draft conformity analyses and documentation for the new  $PM_{2.5}$  standard in November 2005 for a 30-day comment period.
5. Hold a public hearing in December 2005.
6. Adopt the resolution making the final Conformity Determination in February 2006.
7. Send SCAG's Conformity Determination to the federal agencies for approval.
8. Approval by federal agencies by April 5, 2006.

# MEMO

**DATE:** September 1, 2005

**TO:** Community, Economic and Human Development Committee (CEHD),  
Energy and Environment Committee (EEC),  
Transportation and Communication Committee (TCC)

**FROM:** Regional Comprehensive Plan Task Force  
Jacob Lieb, Acting Lead Regional Planner, (213) 236-1921, [lieb@scag.ca.gov](mailto:lieb@scag.ca.gov)

**SUBJECT:** Expanded Regional Comprehensive Plan Approach and the California Environmental Quality Act (CEQA)

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## SUMMARY:

Potential changes in the California Environmental Quality Act (CEQA) may create a distinct role for regional plans. Through the RCP process, SCAG may be able to satisfy the requirements for a regional plan as discussed in the on-going negotiations at the State level. In order to anticipate and take advantage of changes to State law, SCAG would need to re-envision its RCP process to some degree. The purpose of this report is both to provide information to the policy committees as well as to gather feedback and comments for the Regional Comprehensive Plan (RCP) Task Force. Pending further discussion at both the task force and committee levels, staff anticipates Regional Council consideration for action at a future date. Additionally, staff will convene information and expanded dialogue sessions on CEQA issues for members of the Regional Council and Policy Committees.

## BACKGROUND:

To date, staff has briefed both the RCP Task Force and the CEHD and EEC Committees on on-going CEQA reform discussions. In June, the Regional Council authorized staff to participate in legislative discussions, and to seek agreement on changes to State law based on a defined set of priorities. Briefly summarized, the California Resources Agency has proposed a system whereby regional growth plans, such as SCAG's RCP in process, would qualify supportive developments for streamlined environmental documentation. In light of those discussions, SCAG staff has prepared to approach the RCP process in such a way that the plan could take advantage of proposed provisions in the law for regional planning.

The RCP Task Force discussed this issue at its July 25 meeting, and directed this report to the policy committees. Further, the Task Force suggested that staff convene discussions for members of the policy committees and Regional Council that would provide background information on CEQA and CEQA issues, and allow for more in-depth discussion.

The benefit of pursuing a plan in this way would be a greatly expanded potential to actually implement the region's Compass Growth Vision by creating a preference for supportive plans and projects. The Growth Vision adopted by SCAG in 2004 identifies substantial benefits for the region's performance affecting not just the transportation system but also several environmental and quality of life factors. The basic assumption for SCAG's implementation efforts, including CEQA reform discussions, is that tools must be developed to facilitate growth and development that is identified in the Compass Growth Vision. Any tools

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developed as part of the Compass effort, including those sought in a new CEQA structure, would be implemented locally at the option of the local government.

The attachment document titled "CEQA Improvement Advisory Group Concept Paper" was prepared and circulated by the California Resources Agency. It describes the elements that a regional plan would need to contain to qualify for streamlining. Summarized briefly, the regional plan should:

- Establish quantifiable plan outcomes across the full range of planning and resource categories.
- Be demonstrably beneficial for the environment.
- Include mitigation measures that are applicable at the project level.
- Propose funding and other incentive mechanisms for supportive implementation at the local level.
- Fully incorporate and reconcile various plans prepared at the State and regional level.

The RCP Task Force has previously discussed and agreed to pursue the addition of plan outcomes as a focus of activity for the 2005-2006 Fiscal Year. In addition, SCAG anticipates completing the RCP process at the same time that the Regional Transportation Plan is adopted. This will allow SCAG to combine the environmental review effort for both plans. At this time, staff is pursuing contacts with State and regional agencies that prepare overlapping plans in order to engage a dialogue on reconciling plan provisions and creating outcomes. The goal of such outreach would be to include these agencies as partners in the RCP process.

It should also be noted that pursuing a regional plan as described in the CEQA discussions would alter the original intent and organizing themes of the RCP. The attached chart, labeled "SCAG Regional Comprehensive Plan" reviews how the potential new process differs from the current approach. Again, this potential re-envisioning of the RCP is being brought forward at this time for discussion as formal action to pursue these changes may be taken up at a later date.

**Attachment:** CEQA Improvement Advisory Group Concept Paper,  
SCAG Regional Comprehensive Plan: Comparison of Current Approach with Potential Expanded Approach  
(Chart)

**CEQA Improvement Advisory Group Concept Paper  
Linking Voluntary Smart Planning with CEQA Improvement**

A new chapter would be added to Title 7 (Planning and Land Use) of the Government Code that provides for the following.

- 1) A voluntary smart plan may be adopted by a council of governments as defined in Government Code Section 65582, or a joint powers agency formed by at least three public agencies with a combined population in excess of 100,000 residents, or a county with a population in excess of 100,000 residents. The voluntary smart plan must take into account the plans and planning activities of state, federal and other public and private agencies. To accomplish this objective, such other entities (including air districts, watershed councils, and other resource agencies) will participate in the voluntary smart planning process. The process will also take advantage of any existing planning exercises, including regional transportation plans, regional conservation planning concepts within any regional habitat conservation plans or natural community conservation plans, and any regional agricultural planning (such as Department of Conservation mapping of productive agricultural land).
- 2) The council of government, joint power agency, or county will enter into discussions with relevant local, state, and federal entities, as well as other relevant parties, to develop a voluntary smart plan that is designed to meet certain state goals and outcomes (described below), as well as incorporate the adopted general plans of the participating localities. There must be significant public outreach and education to ensure public input into the planning process.
- 3) If the participating local jurisdictions reach consensus on a voluntary smart plan, then each local jurisdiction shall agree to implement the voluntary smart plan and, if necessary, update its general plan and zoning ordinances to conform to the applicable policies within the voluntary smart plan. Future general plan updates or amendments of the general plans of the participating localities must also incorporate state goals that are applicable to the locality.
- 4) The voluntary smart plan must undergo CEQA review. The legislation may provide a special procedure for voluntary smart plans, similar to a General Plan EIR or the Master EIR, i.e., a front-loaded approach that seeks to eliminate or minimize subsequent environmental review. The entity undertaking the voluntary smart plan (i.e., the council of governments, joint powers agency, or county) would be the lead agency and would certify the EIR. Each local plan could be challenged only on the ground that it was not consistent with the voluntary smart plan.
- 5) After approval of the voluntary smart plan and certification of the plan's EIR, project sponsors can develop specified projects identified and evaluated within the voluntary smart plan EIR with little or no subsequent CEQA review. Legal challenges would

**DRAFT—PRELIMINARY AND TENTATIVE  
FOR DISCUSSION ONLY**

be limited to whether the project was consistent with the local plan and implemented voluntary smart plan requirements.

- 6) The State will develop a blueprint of goals and outcomes that will, among other things: (a) foster the development of more housing for all income levels; (b) improve transportation; and (c) protect open space, resource land, and productive agricultural land. The State blueprint will provide general parameters and directions that can then be applied regionally and locally. The voluntary smart plan must meet these goals and outcomes. Examples of goals and outcomes include:
  - a) Adequate housing supply (parameters for adequate housing supply)
  - b) Habitat and agricultural protection (parameters for smart conservation of valuable areas)
  - c) Orderly pattern of development (e.g., growth in environmentally preferable locations; parameters for transportation, infrastructure)
  - d) Efficient use of land (e.g., parameters for reduction of amount of raw land converted for development)
  - e) Adequate water supply (e.g., parameters for insuring dry weather supply, reducing consumption).
- 7) Financial incentives for voluntary smart planning could come from a variety of sources:
  - a) Regional planning law currently allows for tax levies; this could be modified to support voluntary smart planning.
  - b) An infrastructure bond measure could provide infrastructure funding for voluntary smart planning areas.
  - c) Environmental enhancement fund (project sponsors pay into a fund instead of doing an EIR). It has been estimated that developers might pay up to \$20,000 per housing unit for certainty of development within 6 months of application, with no CEQA review.
  - d) Federal transportation dollars or other federal funds
  - e) Tax increment financing or Mello Roos financing.
  - f) Half cent increase in sales tax.
- 8) Reporting and Accountability. The council of government, joint power agency, or county shall be responsible on an ongoing basis for monitoring the success of the voluntary smart plan in meeting the goals and outcomes identified by the state and reporting its findings on a periodic basis.

**SCAG Regional Comprehensive Plan**  
Comparison of Current Approach with Potential Expanded Approach  
DISCUSSION DRAFT  
June 2005

	<b>Current Approach</b>	<b>Potential Expanded Approach</b>
<b>Organizing Theme</b>	Growth Vision, SCAG's urban form and development strategy for the region.	Broad principles or theme statements based on the Growth Vision.
<b>Primary Content</b>	SCAG Regional Council Policies, and associated action plans to implement regional policies.	Outcome/performance measures organized by CEQA resource categories.
<b>Intent</b>	To provide a clear path for independent implementation consistent with the Growth Vision.	To coordinate and integrate all of the planning work in the region under the loose umbrella of the Growth Vision. To provide the functional equivalent of CEQA documentation at the regional plan scale, thus facilitating project and mitigation delivery.
<b>Outside Content (e.g. plans prepared by other agencies)</b>	Referenced and limited incorporation based on mutually supportive ideas.	Major plans around CEQA resource categories are fully integrated. Outside entities must conform their plans to a) general themes, and b) outcome measures.
<b>Environmental Review</b>	Broad cumulative analysis of region's preferred and alternative growth patterns.	Identification of impacts for all supportive/consistent projects. Creation of locally applicable mitigation procedures for consistent projects.
<b>Process</b>	Content development and approval all under the purview of SCAG, but with broad public participation, input.	Collaborative among all responsible agencies for various resource areas (e.g. Public Utilities Commission, Water Agency, etc.).



# MEMO

**DATE:** September 1, 2005

**TO:** Energy and Environment Committee (EEC),

**FROM:** Jennifer Brost, AICP, Associate Regional Planner, (213) 236-1829, [brost@scag.ca.gov](mailto:brost@scag.ca.gov)

**SUBJECT:** Ad Hoc Energy Working Group

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## **SUMMARY:**

On July 7, 2005, the Energy and Environment Committee (EEC) directed staff to consider a forum that would address energy policy in depth. This report describes steps staff proposes to take to assemble and Ad Hoc Energy Working Group.

## **BACKGROUND:**

The EEC requested staff's recommendation on a potential energy task force at their July 7, 2005 meeting. Staff has subsequently considered the formation of an energy working group to assist with the Energy Chapter of the Regional Comprehensive Plan (RCP). The energy working group will have well-defined tasks and points at which the EEC can reassess its purpose and charge. The energy working group will be ad hoc, allowing the membership and meeting frequency to vary as needed.

In conjunction with the RCP Task Force, staff is continuing to identify support needs for the RCP process. At this time, the energy group is the only anticipated new body, as most other plan topics are covered within existing committees or task forces. Staff will report in a future meeting on the overall communication structure for the RCP, and the EEC may make adjustments to the energy group at that time.

## **Preliminary Goals:**

The working group will proceed in phases, each with a clear set of measurable goals. Phase 1 would be completed in approximately one year and would focus on developing the Energy Chapter of the RCP and identifying outcomes for the RCP. The outcomes will generally consist of quantifiable benchmarks to measure energy generation, supply, and consumption. At the completion of Phase 1, the EEC would have the opportunity to reassess the working group's purpose and make-up. Expanded policy discussions could occur in Phase 2 at the EEC's direction.

## **Potential Participants:**

The group should include representatives from the California Public Utilities Commission and the California Energy Commission, and utility representatives. The RCP Task Force requested additional participants, which have been included below. Participation may vary depending on discussion items. For example, when the discussion on outcomes begins, the energy working group may consider engaging a broader spectrum of interests including energy alliances, the building industry, and environmental groups.

Actual membership will depend on commitments from the following groups invited to participate. Members of the EEC and the RCP Task Force will be provided with notices and agendas of the meetings so they can participate at their discretion.

- California Public Utilities Commission
- California Energy Commission

# MEMO

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- Southern California Edison
- Los Angeles Department of Water and Power
- Energy Division, Los Angeles County
- Ventura County Regional Energy Alliance
- Bay Energy Savings Center, South Bay Cities Council of Governments
- Environmental organization
- Building industry
- Local governments
- Imperial Irrigation District